

Ashford Borough Council: Regulatory Committee

Minutes of a Virtual Meeting of the Regulatory Committee held on Microsoft Teams on the **19th January 2021**.

Present:

Cllr. Webb (Chairman);
Cllr. Krause (Vice-Chairman);

Cllrs. Buchanan, Burgess, Farrell, Feacey, Ledger, Pickering, Rogers, Smith, L Suddards.

Apologies:

Cllrs. Mulholland, Shorter.

Also Present:

Environmental Protection and Licensing Team Leader, Principal Litigator, Member Services Manager (Operational).

208 Declarations of Interest

Councillor	Interest	Minute No.
Feacey	Made a 'Voluntary Announcement' as he was the Chairman of Energyshift Ltd who worked with members of the taxi trade.	209, 210
Webb	Made a 'Voluntary Announcement' as a Director of the Ashford Volunteer Centre.	209, 210

209 Proposed Fee Levels for 2021/22 Licensing Applications

The Environmental Protection and Licensing Team Leader introduced the report which proposed fees for licences for 2021/22 (excluding those previously proposed by the Licensing Committee). He advised that the setting of licensing fees generally allowed the Licensing Authority to recover the costs of processing licence applications, regulation and back office costs associated with the running of the licensing regime. Although there was no legal duty for licensing fees to be cost neutral, the Council had a responsibility with reference to managing public funds and setting appropriate fees. The fees also could not be set so as to be profit making. Whilst the previous year had been exceptionally difficult for all businesses, including those involved in the licensed trades mentioned below, the cost to the Local Authority in maintaining the regime continued to be affected by inflation, salaries, on-costs, accommodation, increases in back office costs as well as providing adaptations to the normal licensing service because of the pandemic. There was likely to be a significant loss of income this year due to reduced application numbers and a host of increased checks and regulations in relation to taxi licensing going in to 2021/22. He

also gave a brief summary of grants that had been available to the taxi trade to assist them during the pandemic.

The Environmental Protection and Licensing Team Leader then drew attention to the proposed fees contained within the report.

Sex Establishment Fees

The report proposed that the fees be increased in line with inflation (RPI).

Hackney Carriage and Private Hire Fees

It was proposed that fees be increased in line with inflation with the following exceptions: -

- Vehicle licence grants to increase slightly above inflation to better balance the increased work associated with new licences.
- Vehicle renewals to remain at current rates to take account of efficiencies associated with the eForm renewal process introduced in 2020.
- Transfer of vehicle licences to increase slightly above inflation to better reflect the cost of processing such applications. These had been kept artificially low over recent years to promote the transfer of vehicles to newer, 'cleaner' vehicles, however take up had been extremely low and there was a separate incentive scheme that was operational to promote the uptake of ultra-low emission vehicles. That incentive scheme was worth approximately £1,000 to vehicle proprietors over a three-year period.

Scrap Metal Dealers Fees

The report recommended an increase in line with inflation.

In response to a question, the Environmental Protection and Licensing Team Leader advised that over the past year the price of scrap metal had increased significantly. Given that inherent value, it was therefore not anticipated that fly-tipping of scrap metal was likely to be an issue, despite there being an increase in the level of fly-tipping in general.

Recommended:

- (i) that the sex establishment fees as given below be approved.

RECOMMENDED SEX ESTABLISHMENT LICENCE FEES FOR 2021/22

	CURRENT FEES 2020/21	PROPOSED FEES 2021/22
Grant	£3397	£3499
Transfer	£324	£334
Renewal	£324	£334

- (ii) that the Hackney Carriage, Private Hire and Operator applications licence fees as given below be approved for the purposes of public consultation.

RECOMMENDED HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING FEES 2021/22

	CURRENT FEES 2020/21	PROPOSED FEES 2021/22
Private Hire & Hackney Carriage Drivers Licence (for 1 year)	£70.00	£72.00
Private Hire & Hackney Carriage Drivers Licence (for 3 years)	£145.00	£149.00
Additional driver's licence (adding a licence)	£30.00	£31.00
Hackney Carriage Knowledge Test & Re-test	£57.00	£59.00
Replacement badge / Licence	£12	£12.50
Vehicle Licence - New or Renewal (including vehicle plate) for 1 year	£320 - New £300 - Renewal	£335 - New £300 - Renewal
Vehicle Plate Internal / External	£20.50	£21.00
Transfer of Vehicle Licence (with or without vehicle plate)	£32.00	£35.00
<i>Vehicle Inspection - Test Fee (set by contract)</i>	£32.00	£32.00
<i>Vehicle Inspection - Missed Appointment (set by contract)</i>	No Charge	No Charge
Private Hire Operators Licence - New or Renewal (for 5 years)	1-3 vehicles : £139 4-10 vehicles : £460 11-20 vehicles : £919	1-3 vehicles : £143 4-10 vehicles : £474 11-20 vehicles : £947
To increase number of vehicles licensed during duration of Operators Licence	1-3 : £137.00 4-10 : £318.00 11-20 : £461.00	1-3 : £141.00 4-10 : £328.00 11-20 : £475.00
Fee for Returned (Bounced) Cheques	£17.00	£17.50

- (iii) that the scrap metal, site and collectors fees as given below be approved.

**RECOMMENDED SCRAP METAL, SITE AND COLLECTORS LICENSING FEES
2021/22**

	CURRENT FEES 2020/21	PROPOSED FEES 2021/22
Grant Site Licence	£334	£344
Grant Collectors Licence	£224	£231
Renewal Site Licence	£224	£231
Renewal Collectors Licence	£112	£112
Variation	£84	£87
Replacement Licence	£12	£12.50

- (iv) that the annual licensing summary, at Appendix D to the report, be received and noted.

210 Review of the Hackney Carriage Fare Scale 2021/22

The Environmental Protection and Licensing Team Leader introduced the report and advised that the Committee were asked to recommend a Hackney Carriage Fare Scale to Full Council, based on the information and evidence contained within the report. The fare scale was designed to protect the public from excessive fares and act as a maximum fare that could be charged. Drivers/proprietors were free to charge less or offer discounts, and this was actively encouraged. He drew attention to a number of points, namely:

- An extremely small percentage of the trade (only one licensee and one trade representative of a potential 610 licences) had responded to the call for evidence. Both responses had called for no increase to the drop rate or yardage rate.
- 2017 saw an increase on the yardage rate of 3%, with 2019 seeing a 3% increase on the yardage rate and a 10 pence increase on the drop rate. In each of the other last five years there had been no increases.
- Fuel prices had reduced since April 2020 and had not risen back up above these levels.
- Inflation (RPI) stood at 2.8% over the last 12 months.
- Insurance premiums for general vehicles had dropped on average 2% over the past 12 months.
- The local fare rate had remained in a very similar position both nationally and a county level, as per previous years. This was approximately mid-way in Kent and the top third across the country.

In recommending a fare scale, Officers asked the Committee to consider both a percentage change in the drop rate and yardage rates. The drop rate being the minimum charge and the latter being the ongoing fare per so many yards or seconds. Options open to the Committee were a decrease to the current tariffs (including percentage change), no change, or an increase to the current tariff (including percentage change).

The Chairman said that the low level of responses from the trade continued to be disheartening. Low consultation response figures occurred year on year despite efforts to encourage a greater level of response from the trade and it was in their interests to engage more.

Members did not consider the time was right for a fare increase. It had been a difficult year for the trade and the continuing pandemic meant that many people were still reticent to use public transport and it was important to build back confidence within the community over the coming year. There also did not appear to be any appetite amongst the drivers for an increase. No increase to fares was therefore favoured.

A motion was put forward, and seconded, that there should be no increase to either the drop or yardage rate. This was voted upon and there was unanimous agreement.

Recommended:

That the Hackney Carriage fare scale for 2021/22 as given in the table below be approved for the purpose of issuing a public notice.

DELIBERATELY LEFT BLANK

PROPOSED FARES FOR 2021/22

(a) Fares for distance or time: Rate 1	£
If the distance does not exceed 680 yards, for the whole distance or for the first 216 seconds of waiting time	2.90
For each subsequent 161.8 yards or uncompleted part thereof	0.20
Or for each subsequent period of 51.4 seconds of waiting time or uncompleted part thereof	0.20
(b) Fares for certain times and days: Rate 2	
a) For each hire commenced between 12 midnight and 7 am	1½ x Rate 1
b) For each hire undertaken on GOOD FRIDAY, EASTER MONDAY, MAY DAY, SPRING BANK HOLIDAY, SUMMER BANK HOLIDAY or any other specifically declared Bank Holiday only.	1½ x Rate 1
(i) Fares for certain times and days: Rate 3	
c) For each hire undertaken on a CHRISTMAS DAY, BOXING DAY or NEW YEAR'S DAY	2 x Rate 1
When the holiday charge (b) or (c) is payable the Night Charge (a) is NOT payable.	

2 Miles - £6.50
5 Miles - £13.10
10 Miles - £23.90

Extras - up to a maximum of £1.20	
(a) for each person (excluding infants in arms) carried in excess of two persons (two children under 10 years of age count as one person) irrespective of distance.	0.20
Note: For the purposes of counting the number of persons <u>that the vehicle is licensed to carry</u>, children under 10 years of age should <u>each be counted as a person</u>. A babe in arms should not be counted as a person.	
(b) for each article of luggage conveyed outside the passenger compartment of the carriage	0.05
(c) for perambulators	0.05
(d) for dogs	0.10

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